

Message Text

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INFO OCT-01 ISO-00 H-02 VO-03 SCA-01 L-03 /022 W

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P 051105Z AUG 76

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC PRIORITY 9136

LIMITED OFFICIAL USE SECTION 1 OF 2 BUCHAREST 4596

E.O. 11652: N/A

TAGS: PFOR, EEWT, CVIS, RO

SUBJ: ROMANIAN EMIGRATION PROCEDURES

REF : STATE 183469

1. SUMMARY: FROM ROMANIAN SIDE, EMIGRATION PROCESS IS CHARACTERIZED BY OFFICIAL GOR DISCOURAGEMENT, LONG BUREAUCRATIC DELAYS, AND PERIODIC HARRASSMENT OF POTENTIAL EMIGRANTS. NEVERTHELESS, PATIENCE AND PERSEVERENCE SEEM TO PAY OFF IN VAST MAJORITY OF CASES. U.S. EMBASSY ACTIVELY ASSISTS ELIGIBLE EMIGRANTS BY FREQUENT INTERVENTIONS WITH GOR AUTHORITIES, IN CONTRAST TO ISRAELI AND OTHER EMBASSIES, WHOSE ATTITUDES ARE MORE PASSIVE. SPECIAL PROBLEM FACED BY U.S. EMBASSY IS THAT OF EMIGRANTS WHO ARE INELIGIBLE TO ENTER U.S. AND THUS MAY BE CONSIDERED FOR TCP PROCESSING. END SUMMARY.

2. GOR EMIGRATION POLICY IS INTENDED TO DISCOURAGE LARGE NUMBERS OF PEOPLE FROM LEAVING THE COUNTRY BECAUSE OF THE NEEDS OF THE DOMESTIC ECONOMY FOR AN EVER-INCREASING WORK FORCE. DESPITE THIS BASIC OPPOSITION TO THE PRINCIPLE OF EMIGRATION, THE GOR HAS SHOWN ITSELF READY TO ALLOW LIMITED NUMBERS OF PEOPLE TO DEPART FOR HUMANITARIAN REASONS, LARGELY IN RESPONSE TO PRESSURES EXERTED FROM THE WEST.

3. DESPITE A WEALTH OF EXPERIENCE, THE EMBASSY'S UNDERSTANDING OF LOCAL EMIGRATION PROCEDURES IS FAR FROM COMPLETE SINCE NO OUTSIDER REALLY KNOWS ALL STEPS

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INVOLVED IN THE PROCESS. IN ADDITION, EACH EMBASSY HAS DIFFERENT PERCEPTION OF HOW ROMANIAN AUTHORITIES HANDLE EMIGRATION, AND GOR ITSELF MAKES FREQUENT ADJUSTMENTS IN METHOD OF PROCESSING DEPARTURES. FOR

THE MOST PART, OUR UNDERSTANDING OF THE EMIGRATION PROCESS IS BASED LARGELY ON INFORMATION VOLUNTEERED OVER THE PAST TWO YEARS BY APPLICANTS SEEKING TO EMIGRATE TO THE UNITED STATES.

4. MECHANICS OF APPROVAL: WHEN A ROMANIAN CITIZEN WISHES TO LEAVE THE COUNTRY PERMANENTLY, HE MUST FIRST SUBMIT A REQUEST TO EMIGRATE AT HIS PLACE OF WORK. IF HIS ENTERPRISE DETERMINES THAT HIS SERVICES ARE NO LONGER NEEDED, AND HE HAS NO REMAINING CONTRACTUAL OBLIGATIONS OR HAS NOT WORKED WITH STATE SECRETS, HE WILL RECEIVE A CERTIFICATE OF APPROVAL, ALTHOUGH HE WILL UNDOUBTEDLY BE PRESSURED TO CHANGE HIS MIND BY LOCAL TRADE UNION OFFICIALS.

5. THE PROSPECTIVE EMIGRANT THEN TAKES HIS CERTIFICATE TO THE PASSPORT OFFICE LOCATED IN HIS COUNTY SEAT OR, IF HE RESIDES IN BUCHAREST, TO THE APPROPRIATE SECTOR PASSPORT OFFICE (THERE ARE 47 PASSPORT OFFICES NATIONWIDE). THESE ARE OPEN TO THE PUBLIC ON A REGULAR BASIS, BUT NORMALLY HAVE SHORT WORKING HOURS. FOR EXAMPLE, SECTOR NO. 3 PASSPORT OFFICE IN BUCHAREST IS OPEN ONLY BETWEEN 1400 AND 1700 ON TUESDAYS AND BETWEEN 1600 AND 1900 ON FRIDAYS. SIGNIFICANTLY, PASSPORT OFFICES ARE OPERATED OUT OF LOCAL POLICE STATIONS, WHICH ARE THEMSELVES GOVERNED BY THE INTERIOR MINISTRY--AN IMPORTANT INHIBITING FACTOR FROM THE OUTSET. AT THE PASSPORT OFFICE THE APPLICANT WILL NORMALLY ENCOUNTER LONG LINES, FREQUENT DELAYS, AND OVERWORKED AND UNDER-STAFFED OFFICIALS, ALL OF WHOM ALLEGEDLY WORK FOR THE SECRET POLICE. SOMETIMES THE APPLICANT WILL BE DISMISSED WITH THE CURT REMARK THAT APPLICATIONS ARE NOT BEING GIVEN OUT, OR WILL BE PUT OFF BY THE EXCUSE THAT THE OFFICE HAS TEMPORARILY EXHAUSTED ITS SUPPLY OF FORMS.

6. APPLYING FOR DEPARTURE IS A TWO-STEP PROCESS. FIRST, THE APPLICANT MUST FILE A PRELIMINARY FORM CONTAINING HIS VITAL STATISTICS AND REQUESTING PERMITTED OFFICIAL USE.

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MISSION TO APPLY FORMALLY FOR DEPARTURE. THIS INITIAL REQUEST IS FORWARDED TO THE GOVERNMENTAL PASSPORT COMMISSION IN BUCHAREST. WAITING TIME FOR A REPLY MAY TAKE THREE WEEKS, TWO MONTHS, OR EVEN LONGER. IF THIS REQUEST IS DENIED, HE HAS TWO COURSES OF ACTION: A NEW REQUEST MAY BE FILED--CASES OF PERSONS HAVING TEN SUCH REFUSALS ARE KNOWN TO THE EMBASSY--OR HE MAY TRY TO BYPASS THE LOCAL PASSPORT OFFICE AND APPEAL DIRECTLY TO THE RCP CENTRAL COMMITTEE OR EVEN TO THE PRESIDENT. SUCH APPEALS ARE INVARIABLE NEVER ANSWERED, BUT RETURNED TO THE LOCAL PASSPORT OFFICE WHERE A FILE IS KEPT ON EACH INTENDING EMIGRANT. THE EMBASSY

BELIEVES THAT THE APPEAL PROCESS IS A DEAD END IN THE ABSENCE OF OUTSIDE ASSISTANCE, SUCH AS CONGRESSIONAL OR EMBASSY INTEREST.

7. IF THE APPLICANT'S PRELIMINARY REQUEST IS APPROVED, HE IS THEN ALLOWED TO COMPLETE A FOUR-PAGE APPLICATION FORM WHICH REQUIRES, IN ADDITION TO THE USUAL VITAL STATISTICS, DETAILED INFORMATION ABOUT THE PERSON'S WORK, FAMILY SITUATION, EDUCATIONAL BACKGROUND, CURRENT FINANCIAL STATUS, AND THE PERSON HE DESIRES TO JOIN IN A FOREIGN COUNTRY. CERTIFICATIONS FROM THE PLACE OF WORK, THE UNIVERSITY OR TECHNICAL SCHOOL, AND THE INCOME TAX OFFICE MUST BE ATTACHED TO THE APPLICATION FORM. IF THE APPLICANT HAS DEPENDENTS, HE MUST ALSO ATTACH A STATEMENT FROM A NOTARY PUBLIC TO THE EFFECT THAT HE IS NOT LEGALLY REQUIRED TO SUPPORT ANY SPOUSE OR CHILDREN FROM WHOM HE IS LEGALLY SEPARATED. FINALLY, HE MUST PROVIDE THREE PHOTOGRAPHS OF HIMSELF.

8. ROMANIAN LAW DOES NOT SPECIFY HOW LONG THE GOVERNMENT MAY TAKE TO MAKE A DECISION ON AN APPLICATION FROM THE TIME THAT IT IS SUBMITTED. THE LOCAL PASSPORT OFFICE MUST SUBMIT ALL PAPERS TO THE PASSPORT COMMISSION IN BUCHAREST FOR DECISION, AND BUREAUCRATIC DELAYS ARE CHRONIC IN A SYSTEM THAT IS OVERCENTRALIZED AND OVERBURDENED. WAITING PERIODS OF SIX MONTHS OR EVEN A YEAR ARE NOT UNUSUAL. THE NATURE OF THE SPECIFIC CASE MAY WELL DETERMINE WHETHER A LENGTHY DELAY WILL OCCUR. IF FINANCIAL OR FAMILY QUESTIONS ARISE AS A RESULT OF THE LIMITED OFFICIAL USE
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APPLICATION, SUPPLEMENTARY INFORMATION MAY HAVE TO BE SUBMITTED BY THE APPLICANT. ALSO, IF THE APPLICANT'S RELATIVE RESIDING ABROAD HAS A QUESTIONABLE LEGAL STATUS IN THE EYES OF ROMANIAN AUTHORITIES, THE APPLICATION MAY BE STALLED INDEFINITELY UNTIL THE LEGAL QUESTION IS RESOLVED. CERTAINLY THE POLITICAL CLIMATE PREVAILING AT A PARTICULAR TIME OR IN A PARTICULAR LOCALE WILL PLAY A ROLE IN HOW RAPIDLY A CASE WILL BE EXPEDITED. PERSONS HAVE RECEIVED PERMISSION TO LEAVE THE COUNTRY ONLY ONE OR TWO MONTHS AFTER APPLYING, BUT THESE CASES ARE RELATIVELY RARE.

9. DURING THE WAITING PERIOD THE PROSPECTIVE EMIGRANT WILL BE SUBJECT TO A SERIES OF PRESSURES DESIGNED TO CONVINCE HIM TO RENOUNCE HIS APPLICATION FOR DEPARTURE. HE WILL BE SUMMONED AT LEAST ONCE TO APPEAR BEFORE THE LOCAL PEOPLES' COUNCIL, AT A MEETING CHAIRED BY THE LOCAL PARTY SECRETARY AND USUALLY ATTENDED BY THE HEAD OF THE APPLICANT'S FACTORY, FARM, OR ENTERPRISE, SEVERAL PARTY ACTIVISTS, AND SOMETIMES EVEN NEIGHBORS. THE

APPLICANT WILL BE CONFRONTED WITH FOUR BASIC ARGUMENTS
AGAINST HIS EMIGRATION FROM ROMANIA:

- (A) TO LEAVE IS TO BE A DESERTER FROM OR EVEN TRAITOR
TO HIS COUNTRY;
- (B) BY REQUESTING DEPARTURE THE APPLICANT HAS SHOWN
THAT HE IS UNGRATEFUL TO THE STATE THAT NURTURED
AND EDUCATED HIM;

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- (C) HIS SKILLS AND SERVICES ARE NEEDED FOR ROMANIA'S
ECONOMIC DEVELOPMENT;
- (D) REUNIFICATION OF FAMILIES SHOULD TAKE PLACE BY
HAVING RELATIVES LIVING ABROAD RETURN TO ROMANIA.

10. IF THE APPLICANT OCCUPIES A POSITION OF RESPONSIBILITY
IN THE PARTY OR AT HIS WORK PLACE, HE MAY BE REMINDED THAT
HE TOOK AN OATH OF ALLEGIANCE TO THE STATE AND PROMISED
THAT HE WOULD NEVER ABANDON HIS COUNTRY. IF HE HAS HAD
ACCESS TO STATE SECRETS, HE WILL BE WARNED THAT ACCORDING
TO LAW HE CANNOT LEAVE FOR THREE TO FIVE YEARS. THE
COUNCIL WILL ALSO SUMMON HIS PARENTS, CHILDREN, OR OTHER
RELATIVES AND URGE THEM TO PERSUADE THE APPLICANT NOT
TO LEAVE ROMANIA.

11. THROUGHOUT THE DEPARTURE PROCESS, FEW APPLICANTS
ARE SUBJECT TO OVERT THREATS, AND NO REPORTS OF PHYSICAL
VIOLENCE AGAINST INTENDING EMIGRANTS HAVE BEEN RECORDED
BY THE EMBASSY. THE TYPE AND NATURE OF PRESSURES APPLIED
TO PERSONS SEEKING TO EMIGRATE OFTEN DEPEND ON THE CURRENT
POLITICAL CLIMATE OR ON THE APPLICANT'S OCCUPATION. DURING
PERIODS OF INTENSIFIED PUBLIC PRESSURE FROM THE WEST
FOR BETTER EMIGRATION PERFORMANCE BY THE GOR, AND
ESPECIALLY JUST AFTER LARGE NUMBERS OF PERSONS HAVE

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DEPARTED, ROMANIAN AUTHORITIES ARE LIKELY TO EXERT STRONGER PRESSURES TO DISSUADE PEOPLE FROM APPLYING FOR EXIT PERMITS. KIKEWISE, EDUCATORS, LAWYERS, DOCTORS, PARTY MEMBERS, ENGINEERS, AND SKILLED TECHNICIANS FIND THEMSELVES SUBJECT TO HEAVIER PRESSURES TO RENOUNCE THEIR APPLICATIONS FOR DEPARTURE THAN FORMERS, WORKERS, NON-PARTY MEMBERS, AND LOW-LEVEL GOVERNMENT EMPLOYEES. AMONG THE ACTIONS OFTEN TAKEN AGAINST A PROSPECTIVE EMIGRANT ARE THE FOLLOWING: THE APPLICANT MAY BE REMOVED FROM A JOB OF GREATER RESPONSIBILITY AND PLACED IN ONE OF LESSER RESPONSIBILITY, AND HIS SALARY CUT ACCORDINGLY. IN A FEW EXTREME INSTANCES THE PERSON MAY BE DISMISSED FROM HIS JOB AND MAY BE UNABLE TO FIND ANOTHER POSITION. THE APPLICANT'S SON OR DAUGHTER MAY UNEXPECTEDLY BE CALLED UP FOR ARMY SERVICE OR INFORMED THAT HE OR SHE WILL BE ASKED NOT TO RETURN TO THE UNIVERSITY THE NEXT SEMESTER. FRIENDS AND NEIGHBORS MAY BE WARNED BY THE SECRET POLICE THAT THEY SHOULD AVOID CONTACT WITH ACQUAINTANCES WHO HAVE OPENLY INDICATED THEIR DESIRE TO LEAVE THE COUNTRY.

12. POST-APPROVAL PROCEDURES: ONCE THE PERSON RECEIVES APPROVAL FOR DEPARTURE, HE MUST UNDERGO A COMPLICATED PROCESS OF SEVERING HIS TIES WITH ROMANIAN STATE AND SOCIETY. THIS NORMALLY TAKES TWO TO SIX MONTHS TO ACCOMPLISH AND THE PASSPORT IS ISSUED ONLY AFTER ALL PERSONAL AND FINANCIAL AFFAIRS ARE PUT IN ORDER. THE INTENDING EMIGRANT MUST DISPOSE OF MOST OF HIS PERSONAL PROPERTY. IF HE OWNS A DWELLING HE MAY BE REQUESTED TO DONATE IT TO THE STATE, FOR WHICH HE RECEIVES NO COMPENSATION, OR HE MAY BE ALLOWED TO SELL IT, ALTHOUGH AT AN ARTIFICIALLY LOW PRICE FIXED BY THE PEOPLES' COUNCIL IN THE AREA IN WHICH HE LIVES. COMPENSATION FOR SUCH SALES IS LIMITED BY AN UNPUBLISHED GOVERNMENT DECREE TO 40,000 LEI (\$3,500) IN THE CITY OR 20,000 LEI IN RURAL AREAS. IF A MORTGAGE IS HELD ON A PERSON'S DWELLING, THE EMBASSY IS AWARE OF A HANDFUL OF CASES WHERE THE FULL VALUE OF THE MORTGAGE HAD TO BE PAID BEFORE THE PROSPECTIVE EMIGRANT WAS ALLOWED TO PICK UP HIS EXIT DOCUMENTS.

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13. THE APPLICANT MUST THEN GO THROUGH A TIME-CONSUMING TASK OF OBTAINING CLEARANCE STAMPS FROM THE INCOME TAX OFFICE, BANK, HIS FORMER PLACE OF WORK, UTILITY COM-

PANIES, AND CUSTOMS OFFICE. WHEN THESE PAPERS ARE RETURNED TO THE LOCAL POLICE STATION, THE EMIGRANT WILL RECEIVE HIS PASSPORT AND EXIT TICKET (TALON DE IESIRE), WHICH HE MUST PRESENT TO THE FRONTIER GUARD UPON FINAL DEPARTURE FROM THE COUNTRY. THE EMBASSY IS NOT AWARE OF ANY EMIGRANT WHO, HAVING RECEIVED APPROVAL FOR DEPARTURE AND HAVING OBTAINED THE NECESSARY CLEARANCE STAMPS, HAS BEEN REFUSED PERMISSION TO CLLECT HIS PASSPORT AND LEAVE THE COUNTRY.

14. U.S. EMBASSY PROCEDURES: THE ABOVE EMIGRATION PROCESS APPLIES TO ALL PERSONS SEEKING TO LEAVE ROMANIA, REGARDLESS OF THEIR DESTINATION. THE METHODS USED BY THE VARIOUS EMBASSIES TO ASSIST PERSONS TO EMIGRATE DIFFER MARKEDLY. THE MAJORITY OF CASES FOR EMIGRATION TO THE UNITED STATES ARE GENERATED BY RELATIVES IN THE U.S. THE EMBASSY MAY BE INFORMED THAT A PROSPECTIVE U.S. IMMIGRANT EXISTS THROUGH A LETTER OF INVITATION FROM A U.S. RELATIVE, BY A PLEA FROM AN AMERICAN RESIDENT TO HELP HIS RELATIVE IN ROMANIA WHO HAS ALREADY BEGUN THE APPLICATION PROCESS, OR BY A REQUEST FOR INFORMATION FROM A CONGRESSMAN OR OTHER PROMINENT PUBLIC OFFICIAL. A FEW CASES ARE INITIATED WHEN A ROMANIAN RESIDENT VISITS THE EMBASSY TO INQUIRE ABOUT IMMIGRATION PROCEDURES.

15. THE EMBASSY'S PROCEDURE IS AS FOLLOWS: IF THE PERSON HAS NOT BEEN TO THE EMBASSY, HE IS INVITED FOR AN INITIAL INTERVIEW DURING WHICH PRELIMINARY ELIGIBILITY IS ESTABLISHED--I.E., POSSESSION OF A FIRST-DEGREE RELATIVE IN THE UNITED STATES WHO IS (IF NECESSARY) A U.S. CITIZEN; NO HISTORY OF COMMUNITY PARTY MEMBERSHIP; NO OTHER INELIGIBILITIES ACCORDING TO SECTION 212(A) OF THE IMMIGRATION AND NATIONALITY ACT OF 1952. INTERVIEWS FOR INELIGIBILITY WAIVERS ARE SCHEDULED AS NECESSARY. ONCE PRELIMINARY ELIGIBILITY IS ESTABLISHED, THE APPLICANT IS GIVEN A QUESTIONNAIRE (DSP-1)) TO BE LIMITED OFFICIAL USE
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COMPLETED EITHER AT THE EMBASSY OR TO BE MAILED IN AFTER COMPLETION AT HOME. THE APPLICANT'S IMMEDIATE RELATIVE IN THE U.S. MUST FILE AN IMMIGRANT VISA PETITION WITH THE IMMIGRATION AND NATURALIZATION SERVICE, WHICH WHEN APPROVED IS FORWARDED TO THE EMBASSY. THE APPLICANT MUST ALSO OBTAIN AN AFFIDAVIT OF FINANCIAL SUPPORT FROM SOMEONE IN THE U.S. OR, ALTERNATIVELY, SEEK A HARD-TO-OBTAIN LABOR CERTIFICATION FROM THE DEPARTMENT OF LABOR AS WELL AS A JOB OFFER FROM A U.S. FIRM.

16. UPON RECEIPT OF ALL REQUIRED DOCUMENTS AND FINAL

DETERMINATION OF THE APPLICANT'S ELIGIBILITY, THE EMBASSY WILL NORMALLY MAKE SPECIFIC INTERVENTIONS WITH THE GOR IN EACH CASE THAT APPEARS STALLED BY BUREAUCRATIC OR OTHER OBSTACLES. INTERVENTIONS USARLLY TAKE THE FORM OF A NOTE VERBAL DELIVERED TO THE MINISTRY OF FOREIGN AFFAIRS FOR TRANSMISSION TO THE INTERIOR MINISTRY. THE EMBASSY IS NOT PERMITTED TO MAKE DIRECT REPRESENTATIONS TO THE INTERIOR MINISTRY ITSELF. IN PARTICULARLY DIFFICULT CASES, I.E., THOSE HAVING CONTINUED WITHOUT RESOLUTION FOR OVER A YEAR OR THOSE WHICH THE EMBASSY FEELS ARE SPECIAL HUMANITARIAN CASES-- PERSONAL INVERNCTIONS ARE MADE AT THE MFA'S CONSULAR DIRECTORATE. VISA APPLICANTS ARE ADVISED BY THE EMBASSY TO ALLOW A FULL MONTH FOR THE INTERVENTION TO TRAVEL THROUGH THE GOR BUREAUCRACY, AND THEN TO TRY AGAIN AT THEIR LOCAL PASSPORT OFFICE. IF A FAVORABLE RESPONSE CANNOT THEN BE OBTAINED, THE APPLICANT IS ENCOURAGED TO REPORT THIS FACT TO THE EMBASSY, WHICH WILL INITIATE ANOTHER INTERVENTION ON HIS BEHALF.

17. APPROXIMATELY EVERY SIX MONTHS, THE EMBASSY COMPILES A LIST OF ALL UNRESOLVED CASES (INCLUDING

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IMMIGRANT AND NON-IMMIGRANT VISA AS WELL AS MARRIAGE CASES) AND TRANSMITS IT TO THE MFA. THE CURRENT LIST THEN BECOMES THE BASIS FOR EMBASSY STATISTICS ON GOR PERFORMANCE, ALTHOUGH THIS LIST WILL NOT NECESSARILY FORM THE BASIS FOR PUBLISHED GOR STATISTICS ON EMIGRATION.

18. THE EMBASSY MAY LEARN OF AN APPLICANT'S APPROVAL

FOR DEPARTURE FROM THE APPLICANT HIMSELF, WHO ARRIVES WITH PASSPORT IN HAND, OR IT MAY BE INFORMED THROUGH LISTS OF APPROVALS PERIODICALLY ISSUED BY THE MFA OR BY THE ROMANIAN EMBASSY IN WASHINGTON. THE APPLICANT WILL BE GIVEN FINAL PROCESSING FOR ENTRY INTO THE UNITED STATES ONLY WHEN HE IS IN POSSESSION OF HIS ROMANIAN EXIT DOCUMENTS.

19. THIRD COUNTRY PROCESSING (TCP) PROGRAM: SINCE THERE IS NO ACTUAL COORDINATION BETWEEN THE PROSPECTIVE EMIGRANT'S APPLICATION FOR PERMANENT DEPARTURE FROM ROMANIA AND HIS APPLICATION FOR A U.S. IMMIGRANT VISA, A PERSON INELIGIBLE FOR ENTRY INTO THE U.S. BUT WITH ROMANIAN PASSPORT IN HAND MAY CONTACT THE EMBASSY SEEKING TO EMIGRATE TO THE U.S. IN MOST OF THESE INSTANCES THE PERSON'S INELIGIBILITY IS BASED ON THE LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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LACK OF FIRST-DEGREE RELATIVE IN THE U.S. WHO CAN FILE A VISA PETITION ON HIS BEHALF, ALTHOUGH THE PERSON WILL OFTEN HAVE A MORE DISTANT FAMILY MEMBER WHO DESIRES TO HAVE HIM COME TO THE U.S. SINCE OBTAINING EXIT PERMISSION FROM ROMANIAN AUTHORITIES INVARIABLY RESULTS IN A RATHER COMPLETE BRIDGE-BURNING BY THE APPLICANT, HIS SITUATION USUALLY PRESENTS A GENUINE HUMANITARIAN CASE. UPON RECEIPT OF AN AFFIDAVIT OF SUPPORT FROM THE PERSON'S U.S. RELATIVE AND UPON ESTABLISHING THAT THERE ARE NO OTHER OUTSTANDING INELIGIBILITIES, THE EMBASSY WILL PROCESS THE PERSON FOR ENTRY INTO A THIRD COUNTRY (AT THE PRESENT TIME ITALY) FOR EVENTUAL CONDITIONAL ENTRY INTO THE U.S. WITHIN THE REFUGEE QUOTA OF THE IMMIGRATION ACT.

20. SINCE THE INFORMAL U.S.-ITALIAN AGREEMENT SETS STRICT LIMITS ON THE NUMBER OF ROMANIANS WHO MAY BE PROCESSED FOR ENTRY INTO THE U.S. BY THIS METHOD, THE EMBASSY MUST SCREEN POTENTIAL TCP'S CAREFULLY FOR POSSIBLE INELIGIBILITIES WHICH MIGHT BAR THEIR ENTRY INTO THE U.S.--FOR EXAMPLE, VOLUNTARY COMMUNIST PARTY MEMBERSHIP--RESULTING IN THEIR BEING STRANDED IN ITALY. ONCE THE EMBASSY ESTABLISHES ELIGIBILITY FOR TCP STATUS, THE DEPARTMENT REQUIRES A MINIMUM OF 15 WORKING DAYS FOR APPROVAL OF THE APPLICATION. THE APPROVED IMMIGRANT IS THEN ISSUED A PROVISIONAL U.S. ENTRY VISA ON WHICH HE IS INSTRUCTED TO APPLY AT THE ITALIAN EMBASSY FOR PERMISSION TO ENTER ITALY FOR A PROBABLE STAY OF ONE OR TWO MONTHS WHILE HIS APPLICATION FOR CONDITIONAL ENTRY INTO THE U.S. IS BEING CONSIDERED. IT IS ESTIMATED THAT WAITING TIME FOR THE ITALIAN VISA IS THREE TO FOUR WEEKS.

21. EMIGRATION PROCEDURES TO ISRAEL: ISRAELI EMIGRATION PROCEDURES ARE QUITE DIFFERENT FROM THOSE DESCRIBED FOR ENTRY INTO THE U.S. THE INTENDING EMIGRANT APPARENTLY GOES DIRECTLY TO HIS LOCAL PASSPORT OFFICE TO APPLY FOR DEPARTURE TO ISRAEL; THE ISRAELI EMBASSY HAS FEW WALK-IN CASES. THE GOR MAKES ITS DECISION ACCORDING TO THE GENERAL PROCEDURES OUTLINED ABOVE WITHOUT CONSULTING THE ISRAELI EMBASSY REGARDING THE APPLICANT'S ELIGIBILITY LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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OR INFORMING THAT EMBASSY THAT POTENTIAL ISRAELI EMIGRANTS ARE BEING PROCESSED. THE ISRAELI DCM STATES THAT MFA PERIODICALLY SENDS LISTS OF INTENDING EMIGRANTS FOR ISRAEL TOGETHER WITH THEIR PASSPORTS TO THE ISRAELI EMBASSY, WHICH ONLY THEN INTERVIEW EACH APPLICANT. THE ISRAELIS CONDUCT A SINGLE COMPREHENSIVE INTERVIEW, IN WHICH ELIGIBILITY IS ESTABLISHED ACCORDING TO THE ISRAELI LAW OF RETURN. AFTER ISRAELI EMBASSY APPROVAL, THE PASSPORTS ARE RETURNED TO THE MFA TO BE DISTRIBUTED TO THE EMIGRANTS AFTER FINAL ROMANIAN EXIT APPROVAL IS OBTAINED (SEE PARAS 12-13 ABOVE). THE FACT THAT ALL PASSPORT APPLICATIONS ARE APPROVED PRIOR TO THE ISRAELI ELIGIBILITY INTERVIEW HAS RESULTED IN A NUMBER OF APPLICANTS FOR EMIGRATION WHO ARE ULTIMATELY REJECTED BY THE ISRAELIS FOR ENTRY INTO ISRAEL. THESE PERSONS FREQUENTLY FIND THEIR WAY TO THE U.S. EMBASSY, WHERE THEY REQUEST U.S. IMMIGRATION VISAS.

22. ISRAELI EMBASSY POLICY TOWARD JEWISH EMIGRATION FROM ROMANIA MUST BE REGARDED AS PASSIVE. THE EMBASSY INTERVENES IN INDIVIDUAL CASES ONLY INFREQUENTLY, AND IT CLAIMS NOT TO HAVE ANY MEANS OF KNOWING WHO IS GRANTED ROMANIAN EXIT DOCUMENTS FOR ISRAEL, MUCH LESS WHO HAS APPLIED. WE NOTE THAT AS A GROUP JEWISH EMIGRANTS FROM ROMANIA DO NOT APPEAR TO BE SUBJECT TO A GREATER DEGREE OF HARRASSMENT OR LONGER DELAYS THAN OTHER GROUPS SEEKING TO LEAVE ROMANIA. ON THE CONTRARY, WE CANNOT DISCOUNT THE POSSIBILITY THAT THE GOR GRANTS EXIT PERMISSION FOR ISRAEL WITHOUT REGARD FOR ISRAELI IMMIGRATION REQUIREMENTS SIMPLY IN AN EFFORT TO APPEASE THE CONSTANT DEMAND BY GROUPS IN THE WEST FOR HIGHER LEVELS OF JEWISH EMIGRATION FROM ROMANIA.

23. OTHER EMBASSIES: FRANCE, THE UNITED KINGDOM, AUSTRALIA, CANADA, AND THE FEDERAL REPUBLIC OF GERMANY ALL TAKE A SIMILARLY PASSIVE ATTITUDE TOWARD EMIGRATION. EACH MAINTAINS A REPRESENTATIONAL LIST WHICH IS PERIODICALLY PRESENTED TO THE GOR. FRANCE, THE UK, AND ITALY ARE PRIMARILY CONCERNED WITH MARRIAGE CASES. THE FRG, CANADA, AND AUSTRALIA AND COUNTRIES WHICH STILL ACCEPT IMMIGRANTS. RARE PERSONAL INTERVENTIONS

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ARE MADE, BUT THIS IS USUALLY DONE DURING OFFICIAL
VISITS FROM HIGH GOVERNMENT PERSONNAGES--FOR EXAMPLE,
THE VISITS TO ROMANIA OF WEST GERMAN FONMIN GENSCHER
LAST DECEMBER AND FRENCH FONMIN SAUVAGNARGES THIS
MAY.

24. PLEASE NOTE THAT THE WORLD'S FOREMOST NON-
COMMUNIST EXPERT ON EMIGRATION FROM ROMANIA, CONSUL
ANTHONY C. PERKINS, IS ON CONSULTATION IN THE
DEPARTMENT THIS WEEK. IF FURTHER AMPLIFICATION OR
INTERPRETATION OF THIS REPORT IS REQUIRED WE RECOMMEND
CONSUL PERKINS BE CONTACTED.
VIETS

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